

### **311.781 Definitions for KRS 311.781 to 311.786.**

As used in KRS 311.781 to 311.786:

- (1) "Fertilization" means the fusion of a human spermatozoon with a human ovum;
- (2) "Gestational age" has the same meaning as in KRS 311.7701;
- (3) "Medical emergency" means a condition that in the physician's reasonable medical judgment, based upon the facts known to the physician at that time, so complicates the woman's pregnancy as to necessitate the immediate performance or inducement of an abortion in order to prevent the death of the pregnant woman or to avoid a serious risk of the substantial and irreversible impairment of a major bodily function of the pregnant woman that delay in the performance or inducement of the abortion would create;
- (4) "Pain-capable unborn child" means an unborn child of a probable gestational age of fifteen (15) weeks or more;
- (5) "Physician" has the same meaning as in KRS 311.720;
- (6) "Probable gestational age" has the same meaning as in KRS 311.720;
- (7) "Reasonable medical judgment" means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved;
- (8) "Serious risk of the substantial and irreversible impairment of a major bodily function" means any medically diagnosed condition that so complicates the pregnancy of the woman as to directly or indirectly cause the substantial and irreversible impairment of a major bodily function. A medically diagnosed condition that constitutes a "serious risk of the substantial and irreversible impairment of a major bodily function" includes pre-eclampsia, inevitable abortion, and premature rupture of the membranes, but does not include a condition related to the woman's mental health; and
- (9) "Unborn child" means an individual organism of the species homo sapiens from fertilization until live birth.

**Effective:** April 14, 2022

**History:** Amended 2022 Ky. Acts ch. 210, sec. 33, effective April 14, 2022. --  
Created 2017 Ky. Acts ch. 5, sec. 1, effective January 9, 2017.